

AMENDED No. 74290
APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office MAY 10 2006
Returned to applicant for correction MAY 16 2006
Corrected application filed JUL 07 2006
Map filed JUL 07 2006 under 74290

The applicant **Sommersett Development Company, LLC c/o Truckee Meadows Water Authority** hereby makes application for permission to change the **Point of Diversion, Place of Use** water heretofore appropriated under **Permit No. 70675**

1. The source of water is **Underground**
2. The amount of water to be changed **0.0375 cfs but not to exceed 5.865 mga**
3. The water to be used for **Municipal and Domestic**
4. The water heretofore permitted for **Municipal**
5. The water is to be diverted at the following point **Situate in the NE ¼ NE ¼ of Section 16, T 19N, R 18E, MDM, or at a point from which the northeast corner of said Section 16 bears North 45° 30' 53" East, a distance of 777.22 feet (see Map filed with this application).**
6. The existing permitted point of diversion is located within **The SW ¼ of the SW ¼ of Section 10, T 19N, R 18E, MDM, or at a point from which the NW corner of Section 3, T 19N, R 18E, MDM bears North 08° 05'49" West, a distance of 10,266.84 feet (Map depicting the POD is filed under Permit 70613).**
7. Proposed place of use **See attached Exhibit "A", the legal description as described in Application No. 69710 and shown on the map accompanying said application on file with the Division of Water Resources, State of Nevada. See map filed under 69710**
8. Existing place of use **SE ¼ SE ¼, Section 35, T 20N, R 18E, MDM and portions of the following Sections: S ½, Section 1; Section 2; Section 3; Section 10; Section 11; Section 12; & N ½ NE ¼, Section 13; T 19N, R 18E, MDM. Refer to map filed under Permit No. 70613.**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **January 1 to December 31** of each year.
11. Description of proposed works **Work to include: drilled, casing, and installing of pumping and other related facilities to put a production well on line and connected into TMWA's distribution system.**
12. Estimated cost of works **\$700,000**
13. Estimated time required to construct works **Five (5) Years**
14. Estimated time required to complete the application of water to beneficial use **Ten (10) years**

15. Remarks: TMWA is acting as agent for Somerett Development Company, LLC the legal owner of this Permit. TMWA is requesting Authorization to drill an exploratory well on this site. A waiver has been requested to proceed. If the test well proves to be a good site for a production well, TMWA will survey the site and file a map defining the POD.

By s/Kenneth C. Briscoe
Truckee Meadows Water Authority, P.O.Box 30013
Reno, NV 89520-3013

Compared mt/ag lt/gkl

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of the waters of an underground source as heretofore granted under Permit 70675 is issued subject to the terms and conditions imposed in said Permit 70675 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

The total combined duty of water under Permits 67234, 67235, 67236, 70614 and 74290 shall not exceed 70.387 million gallons annually.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

A monthly report shall be submitted to the State Engineer within 10 days from the end of each month which shall include the amount of water pumped from the well and the amount of water used.

The permittee shall report to the State Engineer on a quarterly basis the effect of pumping this well on other previously existing wells that are located within 2,500 feet of this well.

Any pumping of water in this well may be limited or prohibited to prevent any unreasonable adverse effects on an existing domestic well located within 2,500 feet of this well, unless the holder of this permit and the owner of the domestic well have agreed to alternative measures that mitigate adverse effects.

(Continued on page 3)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0375 cubic feet per second, but not to exceed 18.0 acre-feet annually.

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before:

January 23, 2012

Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before:

January 23, 2017

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,
State Engineer of Nevada, have hereunto set
my hand and the seal of my office,
this 23rd day of January, A.D. 2007

Tracy Taylor, P.E.
State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed N/A

Certificate No. _____ Issued _____

EXHIBIT "A"
PROPOSED PLACE OF USE

<u>DIVISION</u>	<u>SECTION</u>	<u>T-N</u>	<u>R-E</u>	
ALL	1-5	18	18	M.D.B.&M.
E½	6&7	18	18	M.D.B.&M.
ALL	8-17	18	18	M.D.B.&M.
E½	18&19	18	18	M.D.B.&M.
ALL	20-29	18	18	M.D.B.&M.
E½	30&31	18	18	M.D.B.&M.
ALL	32-36	18	18	M.D.B.&M.
ALL	1-5	19	18	M.D.B.&M.
E½	6&7	19	18	M.D.B.&M.
ALL	8-17	19	18	M.D.B.&M.
E½	18&19	19	18	M.D.B.&M.
ALL	20-29	19	18	M.D.B.&M.
E½	30&31	19	18	M.D.B.&M.
ALL	32-36	19	18	M.D.B.&M.
ALL	1-5	20	18	M.D.B.&M.
E½	6&7	20	18	M.D.B.&M.
ALL	8-17	20	18	M.D.B.&M.
E½	18&19	20	18	M.D.B.&M.
ALL	20-29	20	18	M.D.B.&M.
E½	30&31	20	18	M.D.B.&M.
ALL	32-36	20	18	M.D.B.&M.
ALL	1-5	21	18	M.D.B.&M.
E½	6&7	21	18	M.D.B.&M.
ALL	8-17	21	18	M.D.B.&M.
E½	18&19	21	18	M.D.B.&M.
ALL	20-29	21	18	M.D.B.&M.
E½	30&31	21	18	M.D.B.&M.
ALL	32-36	21	18	M.D.B.&M.
ALL	1-36	18	19	M.D.B.&M.
ALL	1-36	19	19	M.D.B.&M.
ALL	1-36	20	19	M.D.B.&M.
ALL	1-36	21	19	M.D.B.&M.
ALL	2-35	18	20	M.D.B.&M.
W½	36	18	20	M.D.B.&M.
ALL	1-12	19	20	M.D.B.&M.
ALL	14-23	19	20	M.D.B.&M.
ALL	26-35	19	20	M.D.B.&M.
ALL	1-36	20	20	M.D.B.&M.
ALL	1-36	21	20	M.D.B.&M.
ALL	1-36	20	21	M.D.B.&M.
ALL	1-36	21	21	M.D.B.&M.

SEE SUPPORTING MAP ON FILE WITH PERMIT NO. 69710

2008 DEC -7 10:07